



BearPaw Newswire

Aboriginal news from across Turtle Island and beyond
November 19-23, 2012

FRONT PAGE

First Nations could build new remand centre

[CBC News](#)

Nov 16, 2012 3:04 PM CST



Dedicated remand

The province is looking into partnering with First Nations to build a new remand centre in Saskatoon.

While there are remand cells in provincial jails which are used to house people who have been charged

but not convicted, overcrowding is a problem.

In some cases, convicted criminals are put in the same cells as those who have yet to have their day in court.

Officials say it would help ease overcrowding in jails if a new standalone remand centre was built.

Darren Winegarden, a lawyer of aboriginal descent who's one of the people pushing for such a centre, says under the plan, First Nations would pay for the facility and then lease it back to the province.

The centre would be tailored to the needs of aboriginal people, but it would take men of all races, he said.

"We could be involved in perhaps the design of the building, making it more sensitive to cultural uses," he said.

Corrections Minister Christine Tell knows jail overcrowding is an issue and the idea of a remand centre is on the table.

"I think it's an awesome idea, and especially a partnership with the government of Saskatchewan, whatever that turns out to look like, will be a Saskatchewan-made solution," she said.

Tell said there's no timeline for making it a reality.

The province is currently reviewing all of its corrections facilities.

Aboriginal sentencing rules ignored due to lack of funding, interest

[The Globe and Mail](#)

Nov. 19 2012, 10:25 PM EST

Kirk Makin

Timothy Nahmabin credits his freedom to a Gladue report and a sensitive judge. (Dave Chidley for The Globe and Mail)



Thirteen years after the Supreme Court of Canada issued a demand for information that would enable trial judges to pass more culturally sensitive sentences for aboriginal defendants, its edict has been largely ignored in

much of the country.

In most regions, a lack of funding or a lack of interest has meant that detailed reports delving into the background of offenders are simply not prepared.

Instructor Nathan Brinklow writes in Mohawk as he teaches a Adult Language Immersion Program on the Tyendingaga Mohawk Territory in Ontario, on October 11, 2012 The Canadian Press

Yet, these documents – named Gladue reports after the defendant in the 1999 Supreme Court's decision from which they evolved – are a vital aid to judges considering the impact on a defendant of the historical mistreatment of aboriginal communities. At the core of the Gladue decision was a deep concern with the over-representation of aboriginal people in jail. When judges are deprived of rich, case-specific information, aboriginal offenders are much more likely to be thrown in jail at a disproportionate rate.

"The reports are indispensable," said Chief Justice Glenn Joyal of the Manitoba Court of Queen's Bench. "If you don't get the best information

with respect to the individual background and sentencing options, the judge is not in a position to come to the fit and proper sentence that Gladue requires.”

Gladue reports typically take an aboriginal court worker about four to six weeks to prepare. They include aspects of cultural history; interviews with the offender, his family and community members; and recommendations for community programs as an alternative to incarceration.

Timothy Nahmabin, a 34-year-old aboriginal man from Ontario's Walpole Island, credits his freedom to a Gladue report and a sensitive judge. Facing probable prison time for assault with a weapon, he was instead given a conditional sentence featuring anger management counselling.

“I'm not a violent person,” Mr. Nahmabin said. “I just need help in understanding why I lashed out so it won't happen again. The court system can be quite biased and it needs this kind of information to understand what is going on with people like me.”

Last March, a frustrated Supreme Court reiterated its call. It warned that any sentencing decisions that fail to consider Gladue factors may be overturned. Officials in some regions are now scrambling to comply.

Associate Chief Justice Peter Griffiths, of the Ontario Court of Justice, said that Gladue reports must be viewed as obligatory. “They aren't something that is just nice or helpful,” he said. “This is the law. It is what the Supreme Court of Canada says.”

Crystal Hill, who co-ordinates Gladue reports for Nova Scotia's Mi'kmaq Legal Support Network said 14 are being prepared, compared with just two in 2011.

Pamela Shields, a B.C. Legal Services Society official who co-ordinates all of the Gladue reports in the province, said she is struggling to meet rising demand.

Saskatchewan, Alberta and Manitoba have barely begun to produce reports. While the number in Alberta has shot up from 14 in 2011 to 100 that are now in production, most of them are being prepared by probation officers – who are trained to assess risk factors but have no particular understanding of aboriginal culture and history.

In Quebec, Gladue reports are almost unheard of. Sentencing a Quebec aboriginal woman last spring in Ontario for importing heroin, Ontario Superior Court Judge Casey Hill accused the province of “state misconduct” for refusing to produce Gladue reports.

Ontario has the best infrastructure for producing the reports, yet the situation is bleak.

The leader in the field, Aboriginal Legal Services of Toronto, produces about 200 Gladue reports per year. Jonathan Rudin, its program director, predicted that judges may soon refuse to sentence unless they have one.

Another problem obstacle is the disparate nature of aboriginal communities. Judges must also brave latent public hostility about a measure many see as lenient.

"Gladue is not a get-out-of-jail free card," Ms. Shields said. "Poverty is poverty, but no one has experienced poverty the way aboriginal people have. There were no Indian residential schools for other populations. Indian women couldn't even vote in the sixties unless they gave up their Indian status. There is just so much ignorance about the history of aboriginal people."

First Nations Flex their Pipes against Enbridge Northern Gateway Pipeline

[First Perspective](#)

November 18, 2012 8:00 am

Caitlin McKay



via jasonwoodhead23, Flickr

Thousands protested the Enbridge Northern Gateway Pipeline in front of the B.C. legislature in Victoria. Protestors wanted to show a united backlash against the proposed pipeline that would transport crude oil from Alberta to a port in Kitimat, B.C. Some came out to protect the environment,

and some to demonstrate that the coast is 'not for sale.' If the pipeline is constructed it would run through various northern First Nation communities. And for them the pipeline threatens their home, [culture](#) and way of life.

"This project assumes that First Nation lands are for sale and access to Native communities is a right. It disregards any notions that First Nations have any control over their own territory," said Gerald Taiaiake Alfred, a professor of Indigenous Governance at the University of Victoria and a participant in the October 22 protest.

This project assumes that First Nation lands are for sale and access to Native communities is a right. It disregards any notions that First Nations have any control over their own territory.

Enbridge Inc, partner to the pipeline, says First Nations stand to gain from this initiative. The company has proposed to offer First Nation communities a 10% share in the project. According to their website that's roughly \$280 million of net income over 30 years. But Enbridge stands to gain far more than \$280 million from this pipeline and the money won't repair the damaged environment, should the pipeline break.

"That's just a propaganda ploy on the part of Enbridge," says Alfred. "It's relative to the amount of profits they made...it's nothing but a smokescreen to try and dissuade media and Canadians from dismissing Enbridge's efforts as meaningless."

Enbridge also says that they will employ First Nations on the construction of the pipeline. They will train those First Nation members, and provide them with jobs and skills. About % 15 of the workers will be First Nation. But communities, who are opposed to the pipeline, say that Enbridge is missing the point. The construction alone will harm the surrounding plants and habitats that First Nations rely on to sustain their way of life. While Enbridge claims that the pipeline will bring economic activity to the area and allow it to prosper, some community leaders say not all economic activity is good.

"I could name a hundred different things that could bring economic benefit to any community that would be a bad choice in the long run," says Alfred. "Opening a brothel, selling drugs brings economic benefit, but is it right? I don't think so. They don't leave the land alone... they fall short of what the communities have for their own standard of protection."

The project would transport 525, 000 barrels of oil per day from near Edmonton to Kitimat. The company operates the world's longest crude oil pipeline, transporting 200 million barrels of oil a day using 13,500 km of pipeline. Enbridge assures the B.C government and other stakeholders that they will adhere to the highest industry standards for safety and environmental protection. However, the Polaris Institute calculated that Enbridge has had 804 spills between 1999 and 2010.

First Nations fear a spill in their territory could destabilize the environment they depend on. The possible risk could undermine their way of life, which is already constantly under threat from external sources.

"What First Nations stand to gain should be measured in terms of the ability of those people to re-root themselves in the true source of their identity and strength – which is the interaction with their homeland and traditional practice which is the basis for their [culture](#)," Alfred said. "The

pipeline is a significant obstacle to that, so it is a significant obstacle to the cultural survival of coming generations."

First Nation communities and Enbridge approach the pipeline issue from different perspectives that contrast with each other. For Alfred, the idea of economic progress is one that has deep roots in society and not necessarily beneficial for First Nations or Canadians.

"This proposal is not going to benefit the average Canadian but the multi-national corporations. Economic prosperity is already achieved, the notion that we need to continually progress... is engrained in the Canadian mentality," he said. "... Canada doesn't need more money; it needs a better use of the money that already exists."

The multi-billion dollar project is still being discussed by the B.C and Albertan governments. A public hearing about safety, construction and design issues is scheduled for next month in Prince George B.C.

Quebec's Cree community renews regional government pact

[CBC News](#)

Posted: Nov 19, 2012 8:23 PM ET

Last Updated: Nov 19, 2012 10:19 PM ET



Pauline Marois and Matthew Coon Come announced the renewal of the Eevou Istchee James Bay regional government on Monday afternoon in Montreal. (CBC)

Quebec's Parti Québécois government and the James Bay Cree have agreed to go forward with a new governance

plan signed with the former Liberal government.

Premier Pauline Marois met with Grand Chief of the Grand Council of the Cree, Matthew Coon Come, Monday for the first time since taking office in September.

Coon Come introduced Marois as a "friend of the Cree people," and underlined the work she did during the Paix des Braves.

"She was the minister of finance then, she's very familiar with the intent, the spirit of Paix des Braves," said Coon Come.

"We will build upon that relationship... with the government of Quebec that is based on nation-to-nation," he said.

The Paix des Braves is an agreement signed in 2002 by former Parti Québécois minister Bernard Landry and Ted Moses, the former Cree chief. At the time, the Cree agreed to drop a multitude of lawsuits against the government in exchange for \$4.5 billion in funding over a period of 50 years.

In July 2012, former Quebec premier Jean Charest introduced plans for the regional government.

Marois said the community would play a role in the decisions regarding development of the province's north.

The renewed agreement gives the Cree more autonomy and control over the economic development of their region.

Both politicians met before the news conference to discuss whether the province would put a moratorium on uranium mining. The Cree are opposed to a proposed uranium mine project in their region.

Marois said her government would make its position known in coming weeks.

North America's first aboriginal winery declared #1 on the west coast at the Wine Access Canadian Wine Awards

[First Perspective](#)

Tuesday, 20 November 2012 17:22



Photo: From manufacturer's website

Okanagan Valley, BC, Nov. 19, 2012 – Nk'Mip Cellars made a spectacular finish at the 2012 Wine Access Canadian Wine Awards bringing in no less than 14 medals, garnering them the extremely prestigious title of the #1 Winery in

British Columbia and the #2 Winery in all of Canada. Four of their top tier wines were bestowed with gold medals for their achievement in excellence, with ten others taking home silver and bronze.

Nk'Mip Senior Winemaker Randy Picton is one of the most esteemed in the region, and is renowned for his commitment to making every vintage spectacular. "Our goal is to create wines that showcase our remarkable terroir. We have a strong team in both the vineyards and the cellar that are all committed to the success of Nk'Mip and it is gratifying to be recognized for this effort," said Picton. "We strive for balance not only in our wines but also throughout our portfolio – being awarded a medal for

every wine entered into this competition is rewarding and lets us know we are on the right track."

Sam Baptiste's careful attention to premium viticulture practices at Inkameep Vineyards, established in 1968, contributes heavily to the Nk'Mip Cellars brand success by ensuring each vine is scrutinized and that only the best grapes make it into the winery during crush.

The Osoyoos Indian Band has been led since 1985 by Chief Clarence Louie. A strong supporter of native and economic independence, he takes great pride in developing members of The Band. Nk'Mip Assistant Winemaker Justin Hall is an example of a Band member who, through Louie's influence, has advanced into a meaningful role within the community. Under the tutelage of Randy Picton at Nk'Mip Cellars, Justin's work is a testament to the importance of preserving the brand's heritage and legacy.

AWARD HIGHLIGHTS INCLUDE:

Gold

Nk'Mip Cellars 2009 Mer'r'iym Meritage

Nk'Mip Cellars 2009 Qwam Qwmt Cabernet Sauvignon

Nk'Mip Cellars 2009 Qwam Qwmt Merlot

Nk'Mip Cellars 2010 Qwam Qwmt Pinot Noir

Silver

Nk'Mip Cellars 2008 Qwam Qwmt Cabernet Sauvignon

Nk'Mip Cellars 2008 Qwam Qwmt Syrah

Nk'Mip Cellars 2009 Qwam Qwmt Pinot Noir

Nk'Mip Cellars 2009 Qwam Qwmt Syrah

Nk'Mip Cellars 2010 Riesling

Nk'Mip Cellars 2011 Qwam Qwmt Riesling Icewine

Bronze

Nk'Mip Cellars 2008 Qwam Qwmt Meritage

Nk'Mip Cellars 2008 Qwam Qwmt Merlot

Nk'Mip Cellars 2009 Qwam Qwmt Meritage

Nk'Mip Cellars 2010 Qwam Qwmt Chardonnay

About Nk'Mip Cellars

NK'Mip Cellars (pronounced "in-ka-meep") is North America's first aboriginal owned and operated winery. Overlooking the shores of

Osoyoos Lake, the winery sits on natural desert land surrounded by the stunning contrast of vineyards. Using grapes grown onsite and from the Osoyoos Indian Band's own Inkameep Vineyard, winemaker Randy Picton produces quality wines in three tiers: NK'Mip Cellars, a reserve tier named Qwam Qwmt (pronounced kw-em kw-empt) meaning achieving excellence as well, the winery produces a top tier Meritage named in honor of the perfect union of varietals – Mer'r'ym. Wines in all tiers receiving constant acclaim include Pinot Noir, Chardonnay, Pinot Blanc, Riesling, Merlot, Syrah, Meritage, Cabernet Sauvignon and Riesling Icewine. The winery is open year-round with seasonal patio foodservice. Special events and traditional native celebrations are held throughout the season.

For more information, visit: www.nkmipcellars.com

About the Wine Access Canadian Wine Awards

The Wine Access Canadian Wine Awards are held annually, and have grown dramatically in size, success, and national reputation since they began in 2001. Each year, Canada's leading wine experts evaluate over 1000 wines from across the country, and present awards in nearly two dozen categories. Full results are published in the December/January Wine Access issue and online at www.wineaccess.ca and the Canadian Wine Annual.

ARTS & ENTERTAINMENT

Top of Form: Ojibwe author wins National Book Award

[AP National](#)

Monday, November 19, 2012

Hillel Italie



FILE - This May 16, 2008 file photo shows author Louise Erdrich at her store BirchBark Books in Minneapolis. Erdrich, 58, won a National Book Award Wednesday, Nov. 14, 2012, for her story, "The Round House" the second of a planned trilogy, about an Ojibwe boy and his quest to avenge his mother's rape. Erdrich, who's part Ojibwe, spoke in her tribal tongue and then switched to English as she dedicated her fiction award to "the grace and endurance of native people." (AP Photo/Dawn Villella, file)

NEW YORK (AP) — The National Book Awards honored both longtime writers and new authors, from Louise Erdrich for “The Round House” to Katherine Boo for her debut work, “Beyond the Beautiful Forevers.”

Erdrich, 58, has been a published and highly regarded author for nearly 30 years but had never won a National Book Award until being cited Wednesday for her story, the second of a planned trilogy, about an Ojibwe boy and his quest to avenge his mother's rape. A clearly delighted and surprised Erdrich, who's part Ojibwe, spoke in her tribal tongue and then switched to English as she dedicated her fiction award to “the grace and endurance of native people.”

The works of two other winners also centered on young boys — Boo's for nonfiction, and William Alexander's fantasy “Goblin Secrets,” for young people's literature. David Ferry won for poetry.

Boo's book, set in a Mumbai slum, is the story of a boy and his harsh and illuminating education in the consequences of crime or perceived crime. The author, a Pulitzer Prize-winning journalist currently on staff with The New Yorker, said she was grateful for the chance to live in a world she “didn't know” and for the chance to tell the stories of those otherwise ignored. She praised a fellow nominee and fellow Pulitzer-winning reporter, the late Anthony Shadid, for also believing in stories of those without fame or power.

Boo was chosen from one of the strongest lists of nonfiction books in memory, from the fourth volume of Robert Caro's Lyndon Johnson series to Shadid's memoir “House of Stone.” Finalists in fiction, which in recent years favored lesser known writers, included such established names as Dave Eggers and Junot Diaz. Publishers have been concerned that the National Book Awards have become too insular and are considering changes, including expanding the pool of judges beyond writers.

Winners, chosen by panels of their peers, each will receive \$10,000. Judges looked through nearly 1,300 books.

Ferry is a year older than one of the night's honorary recipients, Elmore Leonard. Ferry, 88, won for “Bewilderment: New Poems and Translations,” a showcase for his versatile style. He fought back tears as he confided that he thought there was a chance for winning because he “was so much older” than the other nominees. Attempting to find poetry in victory, he called the award a “pre-posthumous” honor.

Alexander quoted fellow fantasy writer Ursula K. Le Guin in highlighting the importance of stories for shaping kids' imaginations and making the world a larger place than the one they live in.

“We have to remember that,” Alexander said.

The ceremony was hosted by commentator-performer Faith Salie and went smoothly even though Superstorm Sandy badly damaged the offices of the award's organizer, the National Book Foundation, whose staffers had to work with limited telephone and mail access.

Honorary prizes were given to Leonard and New York Times publisher and chairman Arthur O. Sulzberger Jr.

OPINION

Shawn Atleo: The prosperity of Canada's First Nations begins at home

[National Post](#)

Nov 22, 2012 12:01 AM ET

Shawn Atleo



April Smoke grew up on the Alderville First Nation, a reserve in Eastern Ontario. Although in some respects the Alderville First Nation is doing well, particularly in education, many community members still lack safe, decent and affordable housing.

April's situation was bleak. Her family struggled with a generational cycle of poverty, living in crowded and

run-down conditions. She was determined to break that cycle and create a better life for herself and her son, Joshua.

That drive to a better future took her 500 kilometers away from home to Chatham, Ont., where she pursued post-secondary education. But student debt was a huge financial burden, and she could only afford a crowded house in an unsafe neighbourhood. Job prospects were limited, and the cycle of poverty looked like it would extend to yet another generation.

April's story is not uncommon, and is one to consider in the context of National Housing Day, which is today. Many First Nations people in Canada, whether on reserves, settlement land or throughout Canada's cities and rural areas, struggle to break the cycle of poverty. A major barrier is access to affordable housing.

Affordable housing is a growing but invisible problem. A new survey of Canadians showed that while 64% believe housing will be less affordable

in the future, few feel it is a problem in their community. But we know it is a problem, one that affects many communities and First Nations across Canada.

First Nations people in Canada are currently faced with a devastating 85,000-unit housing shortage. According to a federal evaluation of First Nations housing, on reserves or Aboriginal settlement land, 42% of existing housing is in need of repair. Even in cities, where many First Nations people have relocated to look for work and seize economic opportunities, they are drastically over-represented among Canadians whose housing falls short in minimum adequacy standards. This is most pronounced in the country's northern regions, where housing is often unsafe for families and hazardous to their health.

To realize our potential, we need to build our human capital, develop our economies and get our fair share of the profits from our traditional lands. We need to affirm our rights and seize our future.

But economic development begins at home. And that's why the Assembly of First Nations is working with Habitat for Humanity Canada to help address the shortage of adequate housing on First Nations land.

We know that a one-size-fits-all approach will not work for our people, our communities and our governments. Each community has its own unique strengths and challenges. Habitat for Humanity Canada's Aboriginal Housing Program seeks to understand the distinct housing challenges faced by First Nations, Inuit and Métis peoples, while providing home-ownership solutions to families in communities across Canada through a proven no-down-payment, zero-interest model. The organization already has provided affordable homeownership to 35 Aboriginal families under this program, and set the goal of serving 100 more over the next five years.

Upon graduation, April heard that Habitat for Humanity Northumberland was looking to build a home in Alderville. She submitted her application, and it was accepted. Returning to her First Nations community enabled April to introduce Joshua to his heritage. He is now taking Ojibwe language classes, and is proud to call Alderville his home.

But this is just one example.

On April 19, 2012, Habitat for Humanity Canada's Yukon affiliate signed a partnership with the Champagne and Aishihik First Nations to expand homeownership possibilities for low-income families on their settlement land. Located just outside Whitehorse, where the cold climate increases the importance of decent housing, the project represented a critical partnership between First Nations peoples, industry, and different members of civil society.

These projects – and projects like them – offer needed assistance while allowing First Nations to retain control over their housing stock and strategy.

Habitat for Humanity Canada likes to say it offers a hand up, not a handout. In accepting this hand up, April Smoke was able to break the cycle of poverty and drastically improve the chances that Josh will lead a happy, healthy and successful life.

There are 35 stories like this across the country – and Habitat for Humanity Canada now plans on creating 100 more. Habitat for Humanity Canada is now looking forward to partnering up with a ready First Nation community to test this model on-reserve.

I encourage all First Nations across Canada to contact Habitat for Humanity Canada and be part of the story.